

FILED

APR - 9 2024

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of TexasCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEPUTY CLERKUnited States of America
v.
Jairo Jesus Esparza Sianez

Case No.

EP-24-M-1502-RFC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/05/2024 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:Code Section
21 USC 963
21 USC 952 (a)Offense Description
Knowingly and intentionally attempt or conspire to pick up drug proceeds and
import a controlled substance.knowingly and intentionally import into the United States from the Republic of
Mexico, approximately 93.3 kilograms (gross weight) of Methamphetamine
which is a Schedule II Controlled Substances.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Oath Telephonically Sworn
At 1:00 PM
Fed.R.Crim.P.4.1(b)(2)(A)
Complainant's signature
Jamison Goins, Special Agent HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/09/2024
Judge's signatureCity and state: El Paso, TexasRobert F. Castaneda, U.S. Magistrate Judge
Printed name and title

Affidavit of Jairo Jesus Esparza Sianez

On April 5, 2024, Jairo Jesus ESPARZA-SIANEZ, attempted entry into the United States from the Republic of Mexico through the Ysleta Port of Entry, El Paso Texas, which is in the Western District of Texas. ESPARZA-SIANEZ was the driver of a 2015 Silver Chevy Tahoe with a Mexican License plate of DZG402B, accompanied by family members including his wife, kids, and mother. At 11:10am, during Pre-primary inspection, Customs and Border Protection Officer (CBPO) Gomez was manning the LEP machine where he noticed anomalies within the floor area of the vehicle ESPARZA-SIANEZ was driving and alerted other officers to the anomalies.

At 11:16am, CBPO Albillar was assigned to Lane 8, which is the lane ESPARZA-SIANEZ was driving through. CBPO Albillar asked ESPARZA-SIANEZ, where they were going and ESPARZA-SIANEZ replied El Paso. ESPARZA-SIANEZ stated the purpose of his trip was to go shopping. ESPARZA-SIANEZ informed CBPO Albillar that he was the owner of the vehicle. CBPO Albillar asked ESPARZA-SIANEZ if he was bringing anything from Mexico and ESPARZA-SIANEZ replied, "no". CBPO Albillar asked ESPARZA-SIANEZ if anyone else drove the vehicle and ESPARZA-SIANEZ replied "no". CBPO Albillar asked ESPARZA-SIANEZ how much money he had with him and ESPARZA-SIANEZ replied he had \$600 United States Dollars (USD). CBPO Albillar asked ESPARZA-SIANEZ how long they were planning to stay in El Paso, and ESPARZA-SIANEZ replied "about two days". CBPO Albillar escorted the vehicle to Secondary for further inspection.

In Secondary, CBPO Martinez conducted a secondary interview with ESPARZA-SIANEZ. ESPARZA-SIANEZ stated he and his family were coming from Chihuahua, Mexico to El Paso for two days to do some shopping and that they were going to stay at a hotel. ESPARZA-SIANEZ stated they were traveling with \$600 USD. ESPARZA-SIANEZ stated that he was the owner of the vehicle and that he is the only person who drives the vehicle. CBPO Martinez asked ESPARZA-SIANEZ if he was responsible for everything in the vehicle and ESPARZA-SIANEZ replied "yes". CBPO Martinez asked all passengers to exit the vehicle and the vehicle was driven through the Z-portal inspection machine. CBPO Garcia was manning the Z-portal and noticed anomalies within the floor of ESPARZA-SIANEZ's vehicle. The vehicle was taken to the dismantling area for further inspection. ESPARZA-SIANEZ was placed in handcuffs and escorted to a holding cell while family members were escorted to a CBP holding area and allowed to remain together with the children.

Canine Enforcement Officer (CEO) Mark Tovar and his Narcotic Detector dog Casper conducted an inspection of the vehicle resulting in a positive alert to the presence of a trained odor emitting from the floor of ESPARZA-SIANEZ's vehicle.

A total of 166 bundles were removed from six non-factory compartments within the floor of the vehicle containing a white, crystal-like substance which later tested positive for the properties of methamphetamines and a gross weight of approximately 205.75 pounds/93.3 kilograms.

Homeland Security Investigations Special Agents Jamison Goins and Marina Bailon arrived to investigate the failed drug smuggling attempt. Each person we interviewed read the Miranda Rights in the Spanish Language. Each person acknowledged they understood their rights and agreed to speak with Special Agents without a lawyer present. Agents interviewed ESPARZA-SIANEZ's wife and mother separately, who's stories were consistent about the purpose for the trip go shopping and to stay for one night.

Neither ESPARZA-SIANEZ's wife or mother claimed responsibility for the Methamphetamine, but both informed Special Agents the vehicle belonged to ESPARZA-SIANEZ.

Homeland Security Investigations Special Agents conducted an interview of ESPARZA-SIANEZ at approximately 5:49pm. Pursuant to a signed waiver of the Miranda Warnings, ESPARZA-SIANEZ made the following paraphrased, but not verbatim statements). Special Agent Marina Bailon served as the translator for the interview for Special Agent Jamison Goins and ESPARZA-SIANEZ.

ESPARZA-SIANEZ informed Special Agents that he was traveling to the United States to go to Hobbs New Mexico, and Midland, Texas to pick up money and smuggle back to Mexico in the non-factory compartments of the vehicle. ESPARZA-SIANEZ informed Special Agents that he works for a known drug trafficker in Chihuahua, Mexico and usually picks up between \$50,000 to 100,000 ESPARZA-SIANEZ stated he borrowed money from an individual in Mexico and was in debt to him for approximately \$100,000 Pesos, and thus agreed to smuggle money for this person. Once his debt was paid, ESPARZA-SIANEZ said he voluntarily continued smuggling money because he needed money to support his family. ESPARZA-SIANEZ says that he has done this multiple times and assumed the money was proceeds from drugs. ESPARZA-SIANEZ says he gets paid between \$8,000 to \$10,000 USD, as well as \$500-\$1,000 for trip expenses, for each trip. ESPARZA-SIANEZ also informed Special Agents that he is aware of all the non-factory compartments inside of his vehicle. ESPARZA-SIANEZ informed Special Agents that he bought the vehicle and it belonged to him. However, he later claimed that the vehicle was purchased for him for the sole purpose of smuggling money from the U.S. to Mexico. ESPARZA-SIANEZ admitted he is involved in illegal activity and is aware it is illegal to smuggle money from the U.S. to Mexico. ESPARZA-SIANEZ claimed he did not know that the drugs were placed in the vehicle, however, he stated he knew he was going to pick up money, which he assumed that he picks up money for drugs. ESPARZA-SIANEZ did take responsibility for the drugs being in his vehicle. ESPARZA-SIANEZ said he delivers the vehicle to unknown people who take it to remove the money from the compartments while other drivers take drug-laden vehicles to these same people.

The interview concluded at approximately 7:04pm. Assistant United States Attorney Susana Martinez accepted the case for federal prosecution of ESPARZA-SIANEZ for violation of 21 USC 963, Conspiracy and 21 USC 952, Importation of a Controlled Substance.

I make this affidavit based on my knowledge as well as the basis of information furnished to me by other law enforcement officers. I have not included each fact known to me concerning this investigation. I have set forth only facts that I believe are essential to establish probable cause for the arrest.